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Attorneys for Defendants, Cowan Guteski & Co P.A. and Joseph Guteski

ZIA SHAIKH,

Plaintiff,

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Case No: 3:22-cv-02053-GC-RLS

v.

Civil Action

LAURA L. GERMADNIG,
SIEGFRIED GERMADNIG,
PATRICIA GERMADNIG,
MELISSA REEVES, KENNETH
REEVES, MARK GERMADNIG,
STACEY GERMADNIG,
SIEGFRIED GERMADNIG, JR.,
DAVID TARNOWSKI, NICOLE
TARNOWSKI, SLAVA
KLEYMAN, NANCY
CAVANAUGH, LOUIS ELWELL,
CHRISTINE GILFILLIN, SANDRA
SEAMAN, JACK M, NADA
PITYINGER, BRETT PITYINGER,
DANIEL SCHASTNY, KATHLEEN
SCHASTNY, BRADLEY MCKEE,
RENE MCKEE, ROBERT MCKEE,
CAROL MCKEE, STANLEY
O'BRIAN, LORI O'BRIAN,
CANDY MCKEE, STEVEN A.

**NOTICE OF MOTION TO DISMISS
PLAINTIFFS' COMPLAINT IN
LIEU OF ANSWER PURSUANT TO
F.R.C.P. 12(b)(6)**

ORAL ARGUMENT REQUESTED

ZABARSKY, ESQ., KIMBERLY
ZABARSKY, LAW FIRM OF
CITTA, HOLZAPFEL &
ZABARSKY, LEGAL
MALPRACTICE INSURANCE
CARRIER FOR CITTA,
HOLZAPFEL & ZABARSKY,
CATHLEEN CHRISTIE-
CONEENY, ESQ., LEGAL
MALPRACTICE INSURANCE
CARRIER FOR CATHLEEN
CHRISTIE-CONEENY, ESQ.,
JOSEPH GUNTESKI CPA, COWN
GUNTESKI & CO., JOHN R.
WILEY JR., CPA, ABV, CGMA,
AICPA (ASSOCIATION OF
INTERNATIONAL CPA'S), SETH
ARKUSH, INTEGRATED CARE
CONCEPTS LLC, JACKSON
SCHOOL DISTRICT, PRINCIPAL
OF JACKSON LIBERTY HS,
PRINCIPAL OF CHRISTA
MCAULIFEE MIDDLE SCHOOL,
PRINCIPAL OF CRAWFORD
RODRIGUEZ ELEMENTARY
SCHOOL, STEPHANIE J. BROWN,
ESQ., AUGUST J. LANDI, ESQ.,
MARGIE MCMAHON, ESQ.,
DAVID SCHLENDORF, ESQ.,
JACKSON TWSP. POLICE CHIEF
MATTHEW KUNZ, JACKSON
TOWN SHIP POLICE OFFICER
CHRISTOPHER PARISE, OCEAN
CTY. NJ PROSECUTOR
BRADLEY BILHEIMER, JOHN
FOTI, JR., MADELINE F.
EINBINDER J.S.C., MARLENE L.

FORD, A.J.S.C., JOHN S. DORAN,
J.S.C., DEBORAH H. SCHRON,
J.S.C., JOHN DOES 1-10, JOHN
DOES 1-10, XYZ
CORPORATIONS,

Defendants.

To: The Honorable Georgette Castner

PLEASE TAKE NOTICE, that on July 5, 2022 at 9:00 AM, or as soon thereafter as counsel may be heard, the undersigned, as counsel for Defendants Cowan Guteski & Co P.A. and Joseph Guteski, hereby seeks an Order granting dismissal of the Complaint pursuant to F.R.C.P. 12(b)6 in connection with the above-captioned action.

PLEASE TAKE NOTICE that the undersigned shall rely upon the included Brief and Certification of Kyle L. Wu, Esq. dated June 1, 2022 in support of the motion.

A Proposed Form of Order is submitted herewith.

Respectfully submitted,

MARGOLIS EDELSTEIN

Cowan Guteski & Co P.A. and Joseph
Guteski

/s/ Kyle L. Wu

Kyle L. Wu, Esq.

Dated: June 1, 2022